

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

**KEVIN MARTIN MITCHELL, SR.
ADC #500399**

PLAINTIFF

v.

Case No. 1:13-cv-00092-KGB

**KATHERINE KING, LPN
Maximum Security Unit, ADC**

DEFENDANT

ORDER

The Court has received Proposed Findings and Recommended Partial Disposition from United States Magistrate Judge J. Thomas Ray recommending that the Court deny defendant Katherine King's motion to revoke plaintiff Kevin Martin Mitchell, Sr.'s *in forma pauperis* status (Dkt. No. 21). No objections have been filed, and the time for filing objections has passed. After careful consideration, the Court finds that the Proposed Findings and Recommended Partial Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

The Court has also received Proposed Findings and Recommended Disposition from Judge Ray recommending that the Court grant Ms. King's motion for summary judgment (Dkt. No. 36). No objections have been filed, and the time for filing objections has passed. After careful consideration, the Court finds that the Proposed Findings and Recommended Disposition should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects.

It is therefore ordered that:

1. The Court denies Ms. King's motion to revoke Mr. Mitchell's *in forma pauperis* status (Dkt. No. 19).

2. The Court grants Ms. King's motion for summary judgment (Dkt. No. 22) and dismisses this case without prejudice.

4. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

SO ORDERED this the 31st day of March, 2015.



Kristine G. Baker
United States District Judge